



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
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2013

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9TH DISTRICT

September 20, 2013

Parker Higgins
MuckRock News
Dept MR 6548
PO Box 55819
Boston, MA 02205-5819

Dear Mr. Higgins,

The District is in receipt of your request dated August 23, 2013 for documents regarding the application for and award of the \$12.8 million Department of Homeland Security Transit Security Grant for security upgrades to the Transbay Tube. Your request was received in our office September 12.

You refer to your request as one made pursuant to the California Sunshine Amendment. However the District is responding to this request pursuant to the California Public Records Act (California Government Code sections 6250 et seq), the District's governing statute for public records requests.

The documents you requested are exempt from disclosure pursuant to Government Code section 6254(k), which exempts "records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including but not limited to provisions of the Evidence Code relating to privilege." Evidentiary privilege for "official information" under Evidence Code section 1040 also applies. The District's determination that these documents are exempt from disclosure has been made on the advice of the Office of the General Counsel.

This completes the District's response to your request.

Sincerely,


Kenneth A. Duron
District Secretary

cc: Legal Department
Manager of Security Programs

